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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	File Number ENF-99-TC-001
Get-Aways, Inc.	)	
	)	NAL/Acct. No. X3217-001
Camarillo, California	)	

**FORFEITURE ORDER**

Adopted: February 25, 2000

Released: March 2, 2000

By the Commission:

1. In this Forfeiture Order ("Order"), we issue a monetary forfeiture in the amount of eighty-five thousand five hundred dollars (\$85,500) against Get-Aways, Inc. of Camarillo, California for willful and repeated violations of Section 227(b)(1)(C) of the Communications Act of 1934, as amended ("Act"),<sup>1</sup> and Section 64.1200(a)(3) of the Commission's Rules.<sup>2</sup> The noted violations involve sending unsolicited advertisements to telephone facsimile machines.

2. The staff issued a citation to Get-Aways regarding these unsolicited advertisements on July 12, 1999. Thereafter, Get-Aways continued to send such faxes. On December 15, 1999, the Commission issued a Notice of Apparent Liability for Forfeiture ("NAL") against Get-Aways in the amount of eighty-five thousand five hundred dollars (\$85,500), which represented a proposed forfeiture of \$4500 for each of 19 faxes sent in violation of the Act.<sup>3</sup> Although Commission rules provide that an NAL must either be responded to, or the full amount of the proposed forfeiture paid, within 30 days of issuance of the NAL,<sup>4</sup> Get-Aways has neither filed a response nor paid the proposed forfeiture amount. Therefore, based on the information before us, we affirm this forfeiture in the full amount proposed in the NAL.

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<sup>1</sup> 47 U.S.C. § 227(b)(1)(C).

<sup>2</sup> 47 C.F.R. § 64.1200(a)(3).

<sup>3</sup> *Get-Aways, Inc.*, Notice of Apparent Liability for Forfeiture, FCC 99-391 (released Dec. 15, 1999).

<sup>4</sup> 47 C.F.R. § 1.80.

Accordingly, IT IS ORDERED that, pursuant to Section 503(b) of the Act<sup>5</sup> and Section 1.80(f)(4) of the Commission's Rules,<sup>6</sup> that Get-Aways, Inc. IS LIABLE FOR A MONETARY FORFEITURE in the amount of \$85,500 for violating provisions of the Communications Act and the Commission's Rules that prohibit the transmission of unsolicited advertisements to telephone facsimile machines. *See* 47 U.S.C. § 227(b)(1)(C); 47 C.F.R. § 64.1200(a)(3).

3. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Commission's Rules<sup>7</sup> within 30 days of the release of this Order. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to section 504(a) of the Act.<sup>8</sup> Payment may be made by credit card through the Commission's Credit and Debt Management Center at (202) 418-1995 or by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note the NAL/Acct. No. referenced above. Requests for full payment under an installment plan should be sent to: Chief, Credit and Debt Management Center, FCC, 445 12th Street, S.W., Washington, D.C. 20554.<sup>9</sup>

4. IT IS FURTHER ORDERED that a copy of this Forfeiture Order shall be sent by Certified Mail Return Receipt Requested to Timothy F. Deinhard, President, Get-Aways, Inc., 155 Granada Street, Suite T, Camarillo, California 93010.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas  
Secretary

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<sup>5</sup> 47 U.S.C. § 503(b).

<sup>6</sup> 47 C.F.R. § 1.80(f)(4).

<sup>7</sup> *Id.*

<sup>8</sup> 47 U.S.C. § 504(a).

<sup>9</sup> *See* 47 C.F.R. § 1.1914.